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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,120	06/22/2000	ROBERT LIEBL	P00,1291	7874

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FISH & RICHARDSON PC
225 FRANKLIN ST
BOSTON, MA 02110

EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 07/16/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/582,120

Applicant(s)

LIEBL, ROBERT

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

2. Claims 18, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ewin (U.S. Patent 3,536,842) in view of Microsoft Press Computer Dictionary, Published by Microsoft Press in 1997.

Regarding claim 18, Ewin teaches information recorded in the trunk history memory is used during route selection (col. 3, line 73 through col. 4, line 2). Furthermore, Ewin teaches determining is made from the information in the history trunk memory based on priority classification on whether access to the selected trunk route is permitted or denied (col. 4, lines 51-65 and col. 5, lines 14-23).

Ewin does not teach determining whether a connecting path to a requested destination node of the communication network is stored in second memory ("cache"), if not, determining and storing the connecting path in order to set up the determined connecting path to the requested destination node.

Microsoft Press Computer Dictionary, Published by Microsoft Press in 1997, page 72, definition of cache/cache memory stores the contents of frequently accesses RAM locations and the addresses where these data are stored ("first memory and second memory"), when the processor references an address in memory, the cache checks to see whether it holds that address;

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if it does not, ("stored connecting path has not yet been identified in the second memory") a regular memory access occurs; if it does hold the address, the data is returned to the processor.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate cache memory in Ewin's system because cache memory is useful when RAM accesses are slow, and always faster than main RAM memory, and in turn shorten connection times.

Claim 20 is rejected for the same reasons discussed above with respect to claim 18.

3. Claims 19, 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ewin (U.S. Patent 3,536,842) in view of Microsoft Press Computer Dictionary, Published by Microsoft Press in 1997 and further in view of Kelly et al. (U.S. Patent 4,862,496).

Regarding claim 19, Ewin does not teach when the corresponding connecting path leads from an originating node of the communication network to the requested destination node and specific transmission properties for a data transmission to the destination node are met.

Kelly teaches routing strategies have been considered and each exchange is lined to the central processor and transmits data on availability to the central processor (col. 1, lines 23-43).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of determining specific transmission properties for a data transmission to the destination node before routing in Ewin's system in order to avoid a call lost or overflows.

Regarding claim 27, Ewin does not teach a control unit in switching equipment that forms a network node of the communication network. Kelly teaches a central processor selects the path and transmits data (col. 1, lines 23-38).

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Claims 28 and 29 are rejected for the same reasons discussed above with respect to claim 18. Furthermore, Ewin teaches trunk history memory with recorded information in the memory is used during route selection, and many types of storage devices (“first, second, and third memory”) capable of storing information (col. 3, line 73 through col. 4, line 2 and lines 51-65). Ewin does not mention a control unit and line unit.

Kelly teaches a central processor (“control unit”) for determining a suitable connecting path (col. 1, lines 23-43).

It would have been obvious to one of ordinary skill in the art at the time the invention was made that there is at least a line unit in a switch in order to configure an analog telephone lines or digital circuit to configure digital telephone lines.

4. Claims 21-26, and 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ewin (U.S. Patent 3,536,842) in view of Microsoft Press Computer Dictionary, Published by Microsoft Press in 1997 and further in view of Ash et al. (U.S. Patent 4,669,113).

Regarding claims 21-24 and 30-32, Ewin does not teach only a specific and maximum plurality of determined connecting paths are stored longest and used least.

Ash suggests updating the routing sequence (“connecting path”) is achieved by evaluating the least loaded path for each potential connection (Abstract, lines 1-17), which reads on claimed invention.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to develop routing algorithms in determining a connecting path in order to minimize potential blocking in the network.

Regarding claims 25, 26, 33, and 34, Ewin does not teach determining a connecting path to the requested destination node depends on the number of counted overflow cases and a specific time span.

Ash teaches overflow counts are accumulated to develop traffic measures (col. 7, lines 10-18).

Response to Arguments

5. Applicant's arguments with respect to claims 18-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
June 30, 2003


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600